

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

ISSA B. CONTEH,

Petitioner,

v.

CASE NO. 2:08-CV-119  
CRIM. NO. 2:03-CR-140  
JUDGE GRAHAM  
MAGISTRATE JUDGE KING

UNITED STATES OF AMERICA,

Respondent.

**OPINION AND ORDER**

On March 23, 2009, the Magistrate Judge issued a *Report and Recommendation* recommending that petitioner be appointed counsel to assist him at an evidentiary hearing on his claim that he was denied the effective assistance of counsel because his attorney failed to advise him to plead guilty, and that the remainder of petitioner's claims be dismissed. *Report and Recommendation*, Doc. No. 189. The parties were advised of the right to object to the Magistrate Judge's recommendations and of the consequences of failing to do so. Petitioner was directed to file any objections to the Magistrate Judge's recommendations by May 22, 2009. *Order*, Doc. No. 197. On May 15, 2009, a letter from petitioner was filed, acknowledging receipt of the Magistrate Judge's *Report and Recommendation*, and indicating that he "object[s] to some statements made by my attorney in his claim." Doc. No. 200.

Although it is unclear whether petitioner actually objects to the *Report and*

*Recommendation*, assuming that petitioner objects to the recommendation of dismissal of his claims of ineffective assistance of counsel, this Court has conducted a *de novo* review of the *Report and Recommendation* pursuant to 28 U.S.C. §636(b). For the reasons detailed in the *Report and Recommendation*, petitioner's objections are **OVERRULED**. The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**.

Petitioner shall be appointed counsel to assist him at an evidentiary hearing on his claim that he was denied the effective assistance of counsel because his attorney failed to pursue a guilty plea on his behalf. The remainder of petitioner's claims are hereby **DISMISSED**.

It is so ORDERED.

s/ James L. Graham  
JAMES L. GRAHAM  
United States District Judge

DATE: June 5, 2009